

1 HONORABLE RICHARD A. JONES  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 DALLAS BUYERS CLUB, LLC,

11 Plaintiff,

12 v.

13 JOHN DOES 1 THROUGH 10,

Defendants.

CASE NO. C14-1336RAJ

ORDER

14 This matter comes before the court on Plaintiff's motion requesting leave to issue  
15 2 subpoenas. For the reasons stated in the court's July 1, 2015 order in Case No.  
16 C14-1819, which the court includes as an attachment to this order, the court GRANTS  
17 the motion (Dkt. # 32) only to the extent stated in this order.

18 The court orders as follows:

- 19 1) Plaintiff need not file an amended complaint at this time.  
20 2) For any future document that Plaintiff files in this case, and any future order  
21 the court issues (including this order and its attachment ), Plaintiff shall serve a  
22 copy upon any party who it is prepared to name as a Defendant, and it shall  
23 serve a copy upon any person who is the target of a pending subpoena or a  
24 subpoena it plans to issue. Plaintiff shall accompany each filing with a  
25 certificate of service that reflects its compliance with the requirement. When  
26 Plaintiff serves an order, it shall also file a certificate of service. To the extent  
27 that a person who this order entitles to service will receive notice via electronic

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1 filing (through counsel or otherwise), Plaintiff need not take additional steps  
2 for service.

- 3 3) Plaintiff shall cease to file ex parte motions, except in cases where Plaintiff has  
4 yet to learn the identity of any potential defendant or subpoena target other  
5 than an internet service provider. Plaintiff shall note its motions for relief on  
6 the third Friday following their filing, and any person whose interests are  
7 impacted by the motion may oppose it no later than the Monday preceding that  
8 third Friday.
- 9 4) Plaintiff may issue subpoenas in the manner it proposed in its motion. Those  
10 subpoenas shall demand only deposition testimony at a deposition of two hours  
11 or fewer, and shall provide for at least 30 days from the date of service for  
12 compliance.
- 13 5) Within 90 days of service of each subpoena, Plaintiff must either dismiss its  
14 claim against the Doe defendant whose investigation led to the subpoena, file a  
15 statement that it is prepared to name that Doe defendant, file an amended  
16 complaint naming that Doe defendant, or file a statement explaining why it has  
17 not taken one of the other options.
- 18 6) When Plaintiff is prepared to name a defendant, it shall notify that person with  
19 a letter stating that Plaintiff is prepared to name him or her as a defendant, but  
20 that it prefers to delay naming him or her until it can name all other defendants.  
21 That letter shall inform the person that he or she has may demand that Plaintiff  
22 name him or her. If the person exercises that option, and Plaintiff is not  
23 prepare to file an amended complaint naming all remaining defendants,  
24 Plaintiff shall file a new civil action naming only that person, and shall  
25 thereafter dismiss that person from this lawsuit.

1           7) Plaintiff need not provide a copy of this order or take any further action with  
2           respect to any individual or entity with which it has reached a settlement or  
3           other permanent resolution of its claims.

4           DATED this 1<sup>st</sup> day of July, 2015.

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6           The Honorable Richard A. Jones  
7           United States District Judge